

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

MICHAEL AVENATTI,

Defendant.

19-CR-374 (JMF)

ORDER

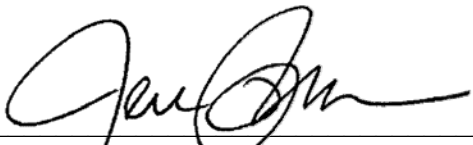
JESSE M. FURMAN, United States District Judge:

Earlier today, Defendant filed a motion on ECF seeking a subpoena compelling the complainant in this case (the “Complainant”) to produce various mental health records and information to the Court for its *in camera* inspection. *See* ECF No. 164. In the Court’s view, the motion should almost certainly have been filed under seal given the Complainant’s privacy interests. *See, e.g.*, 18 U.S.C. § 3771(a)(8) (providing that a crime victim has “[t]he right to be treated with fairness and with respect for the victim’s dignity and privacy”). Accordingly, the Court has restricted viewing access for the motion to Court personnel only.

No later than **November 19, 2021**, defense counsel shall serve a copy of the motion electronically on counsel for the Government, which shall promptly provide notice of the motion to the Complainant. Any opposition to the motion — by the Government or by the Complainant — shall be submitted (under seal in the first instance) by **November 24, 2021**; any reply shall be submitted (under seal in the first instance) by **November 30, 2021**. In their opposition and reply, counsel should address whether the motion papers should be sealed (either permanently or at least through trial in the event the complainant testifies) or filed in redacted form.

SO ORDERED.

Dated: November 18, 2021
New York, New York



JESSE M. FURMAN
United States District Judge